

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:17-CV-301-FL

SHAWN CUNNINGHAM)
)
)
Plaintiff,)
)
)
v.)
)
)
NANCY A. BERRYHILL,)
Acting Commissioner of Social Security,)
)
)
Defendant.)

ORDER

This matter is before the court on the Memorandum and Recommendation (“M&R”) of United States Magistrate Judge Kimberly A. Swank, regarding plaintiff’s application to proceed in forma pauperis. No objections to the M&R have been filed, and the time within which to make any objection has expired. This matter is ripe for ruling.

Upon careful review of the M&R and of the record generally, having found no clear error, the court hereby ADOPTS the recommendation of the magistrate judge as its own, and, for the reasons stated therein, plaintiff’s application is DENIED. Plaintiff is DIRECTED to tender to the clerk on or before **August 10, 2017**, the filing fee of \$400.00, or to file a revised application to proceed in forma pauperis, on correct form, evidencing inability to pay the filing fee. In the event plaintiff fails to do so, the clerk is DIRECTED to close this case for failure to pay the requisite filing fee.

SO ORDERED this the 4th day of August, 2017.


LOUISE W. FLANAGAN
United States District Judge